

H.R. 5507—TRUTH IN LENDING
INFLATION ADJUSTMENT ACT**HON. JOHN J. LaFALCE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 2002

Mr. LaFALCE. Mr. Speaker, I rise today in support of H.R. 5507, a bill to update and enhance an important consumer credit protection. In 1968, Congress enacted the Truth in Lending Act to ensure that consumers receive accurate and meaningful disclosure of the costs of consumer credit. Such disclosures enable American consumers to compare credit terms and make informed credit decisions. Prior to 1968, consumers had no easy way to determine the true cost of their credit transactions—nor did they have a basis for comparing the various creditors in the marketplace.

TILA addressed this problem by providing a standardized finance cost calculation—the annual percentage rate, or APR—and by requiring creditors to provide clear and accurate disclosures of all credit terms and costs. Over the past 30 years, however, key statutory protections and remedies, stated in 1968 dollars, have not been updated to reflect inflation and to provide comparable protections in today's dollars.

The bill we are considering today, H.R. 5507, though modest in scope, provides the first update of an important section of TILA in 34 years. This is clearly an overdue change in the law. TILA protections apply to all credit transactions secured by home equity and other non-business consumer loans or leases under \$25,000. In 1968, this \$25,000 limit on unsecured credit and lease transactions was considered more than adequate to ensure that most automobile, credit card, and personal loan transactions would be covered. This is clearly not the case today. It is now quite common for many non-mortgage credit transactions to exceed \$25,000. H.R. 5507 ensures that TILA protections will continue to apply to most consumer credit and lease transactions by raising the statutory exemption from \$25,000 to \$75,000. By doing so, we are providing updated protections to consumers that will ensure that a broader range of transactions are covered by TILA.

Though I welcome the overdue change provided for in H.R. 5507, I would have preferred that the agreement we reached with my Republican colleagues on the Financial Services Committee to schedule this bill, would have also included other provisions from my broader TILA modernization bill, H.R. 1054. This comprehensive bill, which I introduced at the outset of the 107th Congress and is known as the Truth in Lending Modernization Act of 2001, amends TILA to restore important consumer protections that have been weakened by inflation. It also ensures that consumers benefit from advances in accounting technology, and strengthens TILA's civil liability and rescission remedies. But I am nonetheless very pleased that we were able to agree on bringing up H.R. 5507 to the House today along with H.R. 163, a bill to amend the Fair Debt Collection Practices Act, and H.R. 4005, a bill to make the District of Columbia and the U.S. territories part of the ongoing commemorative quarters program.

Mr. Speaker, I urge support for this long-overdue legislation and reserve the balance of my time.

CHILD ABDUCTION PREVENTION
ACT

SPEECH OF

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 2002

Mr. OBERSTAR. Mr. Speaker, I rise today to express my opposition to H.R. 5422, the "Child Abduction Prevention Act."

I opposed a similar version of this bill, the "Two Strikes and You're Out Child Protection Act" (H.R. 2146), which was considered by the House earlier this year. Because H.R. 5422 contains some of the same provisions that I found objectionable in H.R. 2146, I must also oppose H.R. 5422 today. Although these bills have laudable goals of protecting innocent children from child molesters, the mechanism by which those offenders would be punished is unacceptable to me.

First, H.R. 5422 seeks to expand the type of homicide that can be punished by the death penalty. I believe that we must have stiff penalties for those who commit violent crimes, but I do not feel the death penalty should be one of the options. It has always been my strong belief that the government has no right to selectively take life away from one of its citizens. Because I adamantly oppose the use of the death penalty in all situations, I cannot support this bill.

Further, I oppose H.R. 5422 because it would have an unintended and disproportionate impact on the Native American population. The legislation would mandate life imprisonment for a second sex crime involving a child. However, the bill is limited to cases falling under federal jurisdiction, such as Native American reservations, national parks and forests, and U.S. territorial waters. Statistics indicate that approximately 75 percent of the cases that would be covered by this bill involve Native Americans. Therefore, H.R. 5422 would apply primarily—and disproportionately—to Native Americans on reservations.

Unlike the federal "three strikes, you're out" law, H.R. 5422 does not allow tribal governments to opt out of the provisions of the law and apply their laws for handling such matters. Yet, there is no evidence that tribal governments have failed to address the problem this bill seeks to remedy.

While I believe we must harshly punish sexual predators, I do not believe this bill succeeds in applying such punishment in an equitable, proportionate manner.

PERSONAL EXPLANATION

HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 2002

Mr. MASCARA. Mr. Speaker, on October 3, 2002, I was absent for personal reasons and missed rollcall votes Nos. 437 through 441. For the record, had I been present I would have voted "yea" on 437, "nay" on 438, "yea" on 439, "nay" on 440, and "nay" on 441.

TRIBUTE TO BAY DE NOC COMMUNITY COLLEGE ON THE CELEBRATION OF ITS 40TH ANNIVERSARY

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 2002

Mr. STUPAK. Mr. Speaker, I rise today to pay special tribute to an important partner in the education, economy and culture of the central Upper Peninsula of Michigan. Mr. Speaker, I rise to honor Bay de Noc Community College on its 40th anniversary.

Bay de Noc Community College became a reality when the citizens of Delta County Michigan authorized and taxed themselves to create their community college. The citizens of Delta County had the foresight to understand how important higher education is to students and communities.

Bay College, as it is known, has become an integral part of the area economy. Students gain valuable knowledge and employers gain better educated employees. The community as a whole also benefits economically, culturally, and intellectually from Bay College.

Many cultural offerings are presented to the public through the college. Bay College also provides technology and many other services to the community. The gateway to self improvement is education and Bay de Noc Community College is an invaluable asset to the central Upper Peninsula.

When Bay College first opened its doors in the fall of 1963, approximately two hundred students attended classes at the old Escanaba Area High School building. Since then Bay College has grown to an enrollment of over 2,300 students attending classes in eight buildings on a 150-acre campus at the northeast corner of the city of Escanaba.

Bay College provides an excellent opportunity for students who wish to obtain an advanced education certification, a 2-year associate degree or a solid start towards a 4-year degree. Other students prefer to begin their pursuit of a bachelors degree at Bay College because of its financial value and the less intimidating atmosphere. Other students learn valuable skills and trades that allow them to enter the workforce with their associate degree from Bay College. Both 4-year and 2-year students receive a solid education at a reasonable tuition rate that prepares them for a career and a life time.

Other students simply take classes at Bay College for personal enrichment. The common benefit to all these types of students is that they do not have to drive far to learn and grow.

In fact Mr. Speaker, even though I already held a 2-year degree, I still enrolled in Bay de Noc Community College to enhance my job skills as an Escanaba police officer. Those college classes I completed at Bay de Noc Community College still serve me as a member of the United States Congress. My wife, Laurie, holds two associate degrees from Bay de Noc that assist her everyday as an elected official.

Mr. Speaker, on October 10, 2002, Bay de Noc Community College will celebrate its 40th anniversary. I ask you and my House colleagues to join me in saluting, a great community asset, Bay de Noc Community College as